

Application No. 10/799,129
Response to Office Action of April 4, 2006

REMARKS

In the Office Action of April 4, 2006, claims 1-27 stand rejected. Claims 1, 8, 9, 16, 18-22, 24 and 27 have been amended. Reconsideration and allowance of all pending claims are respectfully requested in view of the following remarks. No new subject matter is being added by this response.

I. CLAIM OBJECTIONS

The Examiner objected to claims 8, 9, and 18-22 because of various informalities. These objections have been corrected by amendments to the claims. Additionally, claims 24 and 27 have been amended to correct additional informalities.

II. REJECTIONS UNDER § 102

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Brothers v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. Richardson v. Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

A. Claims 1, 6-7, 10-12, 14-15, 16-19, 22-24, and 26-27

Claims 1, 6-7, 10-12, 14-15, 16-19, 22-24, and 26-27 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent Publication 2004/0106376 to Forster ("*Forster*").

Forster discloses a rechargeable interrogation reader (20) that is powered by a rechargeable energy source (30). As can be seen best in FIG. 3 of *Forster* and the text discussing FIG. 3 at paragraphs 35 and 36, the rechargeable interrogation reader (20) is connected to a recharging unit (48) by a conductive connection (66), which is a wired connection. *Forster* discloses that "the conductive connection 66 may be a copper wire, coaxial cable, or other coupling device." A power source unit (49) provides for contactless transfer of power between itself and the recharging unit (48). In one embodiment of *Forster*, as illustrated in FIG. 4, an inductive field is used to transfer energy between the power source unit (49) and the recharging

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unit (48). In another embodiment, an electric field is used to transfer energy between the power source unit (49) and the recharging unit (48).

Therefore, while *Forster* discloses the use of a reader that has a rechargeable power source, the rechargeable interrogation reader (20) itself receives power from a wired source. In *Forster* the contactless power transfer is between the recharging unit (48) and the power source unit (49).

Claim 1, as amended, recites, in part, that the RFID reader device comprises "a power antenna and a power storage unit coupled to the power antenna." Further, in claim 1, the output signal from the RFID power device can "induce a voltage in the power antenna to produce energy for storage in the power storage unit, providing the RFID reader device power without physical contact." Thus, the RFID reader device receives the energy transmitted by the RFID power device directly. In *Forster*, the rechargeable interrogation reader (20) contains a rechargeable energy source (30), but the reader (20) receives voltage from the recharging unit (48) via a physical connection and the rechargeable interrogation reader (20) lacks a power antenna. Thus, *Forster* fails to disclose all the limitations of claim 1.

Support for the amendments to claim 1 can be found at paragraphs 21-27. As noted at paragraph 40 of the present invention, the lack of cables between the RFID reader device and the RFID power device allows for easier installation and replacement of parts. The present invention, by eliminating the recharging unit (48) and the connection (66) between the rechargeable interrogation reader (20) and the recharging unit (48), provides a less complex and easier to maintain RFID system.

For at least the above reasons, claim 1, as amended, is in condition for allowance. Claims 6-7, 10-12, and 14-15 depend from allowable claim 1. For at least this reason, claims 6-7, 10-12, and 14-15 are in condition for allowance.

Independent claim 16 has been amended to recite, in part, a power antenna "configured to receive a power signal from a RFID power device." As discussed above, the rechargeable interrogation reader (20) of *Forster* does not include a power antenna. Thus, *Forster* fails to disclose all limitations of claim 16. For at least this reason, claim 16 is in condition for allowance.

Claims 17-19, 22-24, and 26-27 depend from allowable claim 16. For at least this reason, claims 17-19, 22-24 and 26-27 are in condition for allowance.

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III. REJECTION UNDER 35 U.S.C. §103

To establish a prima facie case of obviousness under 35 U.S.C. §103, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art references must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based upon the Applicants' disclosure. A failure to meet any one of these criteria is a failure to establish a prima facie case of obviousness. MPEP §2143.

A. Claims 2-3, 13 and 25

Claims 2-3, 13 and 25 stand rejected under 35 U.S.C. §103(a) as unpatentable over *Forster* in view of U.S. Patent Publication 6,669,089 to Cybulski ("*Cybulski*").

Claims 2-3 and 13 depend from claim 1. As mentioned above, *Forster* does not include each and every element of claim 1. Thus, no combination of *Forster* and *Cybulski* would render claim 1 obvious. For at least this reason, claims 2-3 and 13 are in condition for allowance.

Claim 25 depends from claim 16. For at least this reason, claim 25 is in condition for allowance.

B. Claims 4-5

Claims 4-5 stand rejected under 35 U.S.C. §103(a) as unpatentable over *Forster* and *Cybulski* in combination with U.S. Patent No. 5,682,671 to Mahany ("*Mahany*").

Claims 4-5 depend from claim 1. As mentioned above, *Forster* does not include each and every element of claim 1. Thus, no combination of *Forster* and *Mahany* would render claim 1 obvious. For at least this reason, claims 4-5 are in condition for allowance.

C. Claims 8-9 and 20-21

Claims 8-9 and 20-21 stand rejected under 35 U.S.C. §103(a) as unpatentable over *Forster* in combination with U.S. Patent No. 6,307,517 to Lee ("*Lee*").

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Claims 8-9 depend from claim 1 and claims 20-21 depend from claim 16. As mentioned above, Forster does not include each and every element of claim 1. Thus, no combination of Forster and Lee would render claim 1 obvious. For at least this reason, claims 8-9 and claims 20-21 are in condition for allowance.

IV. CONCLUSION

For the foregoing reasons, the present application is believed to be in condition for allowance and favorable action is respectfully requested. The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

While no other fees are believed due, the applicant hereby requests that any other required fee to maintain pendency of this case, except for the Issue Fee, be charged to Deposit Account 50-2091.

Respectfully submitted,
INGRASSIA FISHER & LORENZ

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